APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/701,011	11/03/2003	Ralph E. Wesinger JR.	GRAPH-003COD	5849

			EXAMINER
28661	7590	07/31/2006	HA, LEYNNA A

SIERRA PATENT GROUP, LTD.
1657 Hwy 395, Suite 202
Minden, NV 89423

ART UNIT	PAPER NUMBER
2135	

DATE MAILED: 07/31/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

	Application No.	Applicant(s)
Office Action Summary	10/701,011	WESINGER ET AL.
	Examiner	Art Unit
	LEYNNA T. HA	2135

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>11 May 2006</u>.

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) <u>20-38</u> is/are pending in the application.

    4a) Of the above claim(s) <u>1-19</u> is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) <u>20-38</u> is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some * c)☐ None of:

        1.☐ Certified copies of the priority documents have been received.

        2.☐ Certified copies of the priority documents have been received in Application No. _____.

        3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
    Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____.

5)☐ Notice of Informal Patent Application (PTO-152)

6)☐ Other: _____.

DETAILED ACTION

1. Claims 20-38 have been examined.

Claims 1-19 has been cancelled by applicant.

Continued Examination Under 37 CFR 1.114

2. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on May 11, 2006 has been entered.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for

all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or
> described as set forth in section 102 of this title, if the differences between the
> subject matter sought to be patented and the prior art are such that the subject
> matter as a whole would have been obvious at the time the invention was made to a
> person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was made.

3.   Claims 20-38 are rejected under 35 U.S.C. 103(a) as being

unpatentable over Civanlar, et al. (5,617,540), and in further view of

Blackett, et al. (US 6,792,337).

As per claim 20:

Civanlar discloses a load-sharing server multi-homed firewall array

comprising:

an array of [firewall] machines coupled in parallel with an IP-compliant

network; **[col.1, lines 39-56]**

wherein each of the [firewall] machines of the array comprising:

a first and second set of virtual hosts, said first set of virtual hosts

configured to interface an associated firewall machine with said IP-compliant

network and said second set of virtual hosts configured to interface an

associated firewall machine with a private network; **[col.1, lines 56-66 and col.3,**

lines 2-6; Civanlar discusses virtual host's name which it is obvious that

the virtual host's name is for a virtual host wherein corresponds to a

server.]

DNS functionality associated with each of firewall machines of the array;

[col.1, lines 49-55]

a master configuration file associated with each of the firewall machines;

and **[col.6, lines 1-16 and col.7, lines 34-37]**

wherein an ensuring connection request is mapped to the first firewall

machine of the array to respond to a DNS request associated with said ensuing

connection request. **[col.5, lines 20-35]**

However, Civanlar did not include firewall machines.

Blackett, et al. discloses a communications architecture that can be used

for monitoring, protection, and control of devices and electrical power distribution

in an electrical power distribution system (col.4, lines 60-63). Further, the

architecture includes a communications network that is publicly accessible data

network such as the Internet or other network or combination of sub-networks tha

transmit data utilizing the transmission control protocol/Internet protocol (TCP/IP)

wherein such networks include private intranet networks, virtual private networks,

extranets or combination that includes the Internet (col.6, lines 8-15). Blackett

discloses all communications occurs securely via the network to ensure the

received communications are authentic and has the ability to communication

through network protection devices such as firewalls (col.7, lines 1-8). Hence, it

would have been obvious for a person of ordinary skills in the art at the time of

the invention to combine Civanlar to include firewalls as taught by Blackett

because firewalls are protection devices that secures communications entering

the network.

As per claim 21: See Civanlar on col.2, lines 39-43 and col.5, lines 20-35;

discussing load-sharing multi-homed firewall array of claim 20, wherein a

connection request received from the IP-compliant network is mapped to said

first set of virtual hosts on the first firewall machine of the array to respond to a

DNS request.

As per claim 22: See Civanlar on col.4, lines 51-60 and col.5, lines 20-35;

discussing load-sharing multi-homed firewall array of claim 20, wherein a

connection request received from the private network is mapped to said second

set of virtual hosts on the first firewall machine of the array to respond to a DNS

request.

As per claim 23: See Blackett on col.13, lines34-36; discussing load-sharing

multi-homed firewall array of claim 20, wherein each of said firewall machines

further comprises a special-purpose virtual host including an HTML-based

configuration module for updating said master configuration files over said IP-

compliant network.

As per claim 24: See Civanlar on col.1, lines 17-19 and Blackett on col.2,

lines 1-6; discussing load-sharing multi-homed firewall array of claim 23, wherein

each of said firewall machines includes N + 1 sets of virtual hosts.

As per claim 25:

      Civanlar discloses a load-sharing multi-homed firewall array comprising:

      means for coupling a plurality of firewall means in parallel with an IP-

compliant network; **[col.1, lines 39-56]**

      wherein each of said firewall means comprising:

a first set of virtual host means interfacing an associated firewall means

with said IP-compliant network and said second set of virtual host means

interfacing an associated firewall means with a private network; **[col.1, lines 56-**

66 and col.3, lines 2-6; Civanlar discusses virtual host's name which it is

obvious that the virtual host's name is for a virtual host wherein

corresponds to a server.]

means for providing DNS functionality associated with each of firewall

means; **[col.1, lines 49-55]**

master configuration means associated with each of the firewall machines;

and **[col.6, lines 1-16 and col.7, lines 34-37]**

means for mapping an ensuing connection request to the first firewall

means to respond to a DNS request associated with said ensuing connection

request. **[col.5, lines 20-35]**

However, Civanlar did not include firewall machines.

Blackett, et al. discloses a communications architecture that can be used

for monitoring, protection, and control of devices and electrical power distribution

in an electrical power distribution system (col.4, lines 60-63). Further, the

architecture includes a communications network that is publicly accessible data

network such as the Internet or other network or combination of sub-networks tha

transmit data utilizing the transmission control protocol/Internet protocol (TCP/IP)

wherein such networks include private intranet networks, virtual private networks,

extranets or combination that includes the Internet (col.6, lines 8-15). Blackett

discloses all communications occurs securely via the network to ensure the

received communications are authentic and has the ability to communication

through network protection devices such as firewalls (col.7, lines 1-8). Hence, it

would have been obvious for a person of ordinary skills in the art at the time of

the invention to combine Civanlar to include firewalls as taught by Blackett

because firewalls are protection devices that secures communications entering

the network.

As per claim 26: See Civanlar on col.2, lines 39-43 and col.5, lines 20-35;

discussing load-sharing multi-homed firewall array of claim 25, further comprising

means for mapping a connection request received from the IP-compliant network

to said first set of virtual host means on the first firewall means to respond to a

DNS request.

As per claim 27: See Civanlar on col.4, lines 51-60 and col.5, lines 20-35;

discussing load-sharing multi-homed firewall array of claim 25, further comprising

means for mapping a connection request received from the private network to

said second set of virtual host means on the first firewall means to respond to a

DNS request.

As per claim 28: See Blackett on col.13, lines34-36; discussing load-sharing

multi-homed firewall array of claim 25, further comprising HTML-based

configuration means for updating said master configuration means over said IP-

compliant network.

As per claim 29: See Civanlar on col.1, lines 17-19 and Blackett on col.2,

lines 1-6; discussing load-sharing multi-homed firewall array of claim 28, wherein

each of said firewall means includes N + 1 sets of virtual host means.

As per claim 30:

Civanlar discloses a load-sharing multi-homed firewall array comprising:

an array of firewall machines coupled in a parallel with an IP-compliant network; **[col.1, lines 39-56]**

wherein each of the firewall machines of the array comprising:

at least a first and second set of virtual hosts, said first set of virtual hosts configured to interface an associated firewall machine with said IP-compliant network and said second set of virtual hosts configured to interface an associated firewall machine with a private network; **[col.1, lines 56-66 and col.3, lines 2-6; Civanlar discusses virtual host's name which it is obvious that the virtual host's name is for a virtual host wherein corresponds to a server.]**

DNS functionality associated with each of firewall machines of the array; **[col.1, lines 49-55]**

a master configuration file associated with each of the firewall machines; **[col.6, lines 1-16 and col.7, lines 34-37]**

a special-purpose virtual host [including an HTML-based configuration module] for updating said master configuration files over said IP-compliant network; and **[col.2, lines 30-35]**

wherein an ensuing connection request is mapped to the first firewall machine of the array to respond to a DNS request associated with said ensuing connection request. **[col.5, lines 20-35]**

However, Civanlar did not include firewall machines and HTML-based

configuration module.

Blackett, et al. discloses a communications architecture that can be used

for monitoring, protection, and control of devices and electrical power distribution

in an electrical power distribution system (col.4, lines 60-63). Further, the

architecture includes a communications network that is publicly accessible data

network such as the Internet or other network or combination of sub-networks tha

transmit data utilizing the transmission control protocol/Internet protocol (TCP/IP)

wherein such networks include private intranet networks, virtual private networks,

extranets (col.6, lines 8-15) and the computer executing a web/HTML browser

program such as the Internet that can be readily accessible format once

converted (col.13, lines 34-36 and col.16, lines 11-15). Blackett discloses all

communications occurs securely via the network to ensure the received

communications are authentic and has the ability to communication through

network protection devices such as firewalls (col.7, lines 1-8). Hence, it would

have been obvious for a person of ordinary skills in the art at the time of the

invention to combine Civanlar to include firewalls and HTML-based configuration

module as taught by Blackett because firewalls are protection devices that

secures communications entering the network and HTML is more readily

accessible format once the received data is converted to HTML.

As per claim 31: See Civanlar on col.2, lines 39-43 and col.5, lines 20-35;

discussing load-sharing multi-homed firewall array of claim 30, wherein:

connection request received from the IP-compliant network is mapped to said

first set of virtual hosts on the first firewall machine of the array to respond to a

DNS request.

As per claim 32: See Civanlar on col.4, lines 51-60 and col.5, lines 20-35;

discussing load-sharing multi-homed firewall array of claim 30, wherein

connection request received from the private network is mapped to said second

set of virtual hosts on the first firewall machine of the array to respond to a DNS

request.

As per claim 33: See Blackett on col.13, lines34-36; discussing load-sharing

multi-homed firewall array of claim 30, wherein each of said firewall machines

further comprises a special-purpose virtual host including an HTML-based

configuration module for updating said master configuration files over said IP-

compliant network.

As per claim 34: See Civanlar on col.1, lines 17-19 and Blackett on col.2,

lines 1-6; discussing load-sharing multi-homed firewall array of claim 33, wherein

each of said firewall machines includes N + 1 sets of virtual hosts.

As per claim 35:

> Civanlar discloses a load-sharing multi-homed firewall array comprising:
>
> means for coupling a plurality of firewall means in parallel with an IP-
>
> compliant network; **[col.1, lines 39-56]**
>
> wherein each of said firewall means comprising:
>
> a first set of virtual host means interfacing an associated firewall means
>
> with said IP-compliant network and said second set of virtual host means

interfacing an associated firewall means with a private network; **[col.1, lines 56-**

66 and col.3, lines 2-6; Civanlar discusses virtual host's name which it is

obvious that the virtual host's name is for a virtual host wherein

corresponds to a server.]

means for providing DNS functionality associated with each of firewall

means; **[col.1, lines 49-55]**

master configuration means associated with each of the firewall machines;

[col.6, lines 1-16 and col.7, lines 34-37]

[HTML-based configuration] means for updating said master configuration

means over said IP-compliant network; and

means for mapping an ensuing connection request to the first firewall

means to respond to a DNS request associated with said ensuing connection

request. **[col.5, lines 20-35]**

However, Civanlar did not include firewall machines and HTML-based

configuration module.

Blackett, et al. discloses a communications architecture that can be used

for monitoring, protection, and control of devices and electrical power distribution

in an electrical power distribution system (col.4, lines 60-63). Further, the

architecture includes a communications network that is publicly accessible data

network such as the Internet or other network or combination of sub-networks tha

transmit data utilizing the transmission control protocol/Internet protocol (TCP/IP)

wherein such networks include private intranet networks, virtual private networks,

extranets (col.6, lines 8-15) and the computer executing a web/HTML browser

program such as the Internet that can be readily accessible format once

converted (col.13, lines 34-36 and col.16, lines 11-15). Blackett discloses all

communications occurs securely via the network to ensure the received

communications are authentic and has the ability to communication through

network protection devices such as firewalls (col.7, lines 1-8). Hence, it would

have been obvious for a person of ordinary skills in the art at the time of the

invention to combine Civanlar to include firewalls and HTML-based configuration

module as taught by Blackett because firewalls are protection devices that

secures communications entering the network and HTML is more readily

accessible format once the received data is converted to HTML.

As per claim 36: See Civanlar on col.2, lines 39-43 and col.5, lines 20-35;

discussing load-sharing multi-homed firewall array of claim 35, further comprising

means for mapping a connection request received from the IP-compliant network

to said first set of virtual host means on the first firewall means to respond to a

DNS request.

As per claim 37: See Civanlar on col.4, lines 51-60 and col.5, lines 20-35;

discussing load-sharing multi-homed firewall array of claim 35, further comprising

means for mapping a connection request received from the private network to

said second set of virtual host means on the first firewall means to respond to a

DNS request.

As per claim 38: See Civanlar on col.1, lines 17-19 and Blackett on col.2,

lines 1-6; discussing load-sharing multi-homed firewall array of claim 35, wherein

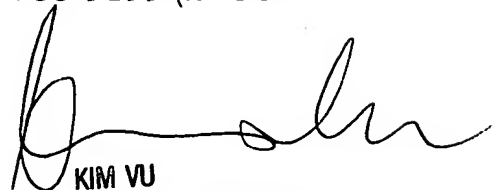each of said firewall means includes N + 1 sets of virtual host means.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to LEYNNA T. HA whose telephone number is (571) 272-3851. The examiner can normally be reached on Monday - Thursday (7:00 - 5:00PM).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kim Vu can be reached on (571) 272-3859. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

KIM VU
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100

LHa